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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,351	02/02/2004	Duane Keenan JR.	2003P01392US01	7660

7590 11/16/2007
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EXAMINER

SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
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2174

MAIL DATE	DELIVERY MODE
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11/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/770,351

Applicant(s)

KEENAN ET AL

Examiner

Steven P. Sax

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 11/07
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. This application has been examined. The amendment filed 5/15/07 has been entered.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mathur et al (7124397) and Delp et al (6922558).

4. Regarding claim 1, Mathur et al show: a method of integrating a third party device into a control system (abstract, Figure 4), the control system having a workstation running control system program instructions and a field panel in communication with the workstation (Figure 11, column 5 lines 30-45), the method comprising the steps of:

providing a user interface for the input of data regarding a third party device and accepting data input from the user regarding the third party device through the user interface (Figures 5, 6, 11, column 3 lines 20-31, column 5 lines 20-45)

launching an integration tool in response to the data input from the user

regarding the third party device (Figure 7, column 4 lines 42-59);

generating an integration file by the launched integration tool for use by a driver associated with the third party device (Figure 4, column 4 lines 3-17 and 59-67); and loading the generated integration file into a field panel for use by the driver associated with the third party device (Figure 13, column 5 lines 50-67, column 6 lines 1-15). Mathur et al do not go into the details that the system is for building control per se, but do mention environments for power control integration of third party vendor devices. Furthermore, Delp et al do show a building control system as a convenient environment for power control integration of third party vendor devices (abstract, Figures 11, 13, 17, column 6 lines 5-30, column 10 lines 20-50). It would have been obvious to a person with ordinary skill in the art to have the system in Mathur et al be for building control, because it would provide a convenient environment for power control integration of third party vendor devices. This building control system would be separately housed than the field panel, as follows from the separate housing in Delp et al. In the event that this may not be clear, Examiner takes Official Notice that it would have been obvious to a person with ordinary skill to have the building control housed separately, because this would allow a convenient and organized environment for power control integration of third party vendor devices.

5. Regarding claim 2, the step of launching an integration tool in response to the data input from the user regarding the third party device

comprises launching an application builder (Mathur et al Figure 3, column 3 lines 57-67).

6. Regarding claim 3, the step of generating an integration file by the launched integration tool for use by a driver associated with the third party device comprises generating an integration file comprising an integration application file (Mathur et al Figure 5, column 4 lines 17-35).

7. Regarding claim 4, the step of providing a user interface for the input of data regarding the third party device includes providing a user interface comprising at least one dialog box for the input of data regarding the third party device (Mathur et al Figures 6, 12 for example).

8. Regarding claim 5, the step of loading the generated integration file into a field panel for use by the driver associated with the third party device comprises flashing the generated integration file into memory of the field panel (Mathur et al column 4 lines 15-45).

9. Claims 6-8 show the same features as claims 3-5 respectively and are rejected for the same reasons.

10. Regarding claim 9, the software integration tool is stored on a users's computer (Mathur et al column 4 lines 15-45).

11. Claims 10-11 show the same features as claims 3-4 respectively and are rejected for the same reasons.

12. Regarding claim 12, said software tool allows the generation of said integration application through incorporation of selected system points (Mathur et al Figures 5, 6, column 4 lines 17-45). That these points are specifically building points follow from a building control system, which would be obvious per the same reasoning as that given in paragraph 4 of this Office Action.

13. Regarding claim 13, in addition to that mentioned for claim 12, comma separated file of points is imported (Mathur et al column 3 lines 30-49, implicit within the file creation in the windowing operating system).

14. Regarding claim 14, in addition to that mentioned for claim 12, individual selection of (building) points is performed (Mathur et al column 4 lines 25-55).

15. Regarding claim 15, in addition to that mentioned for claim 14, individual selection of available building system points is present by said graphical user interface

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as a selectable menu of available building system points (Mathur et al column 4 lines 35-59).

16. Regarding claim 16, Mathur et al show: a control system having a workstation and at least one field panel (Figure 11, column 5 lines 30-45), and a method of operating the control system comprising the steps of:

detecting a user generated modification to a field panel data element by a field panel of the building control system (Figures 5, 6, 11, column 3 lines 20-31, column 5 lines 20-45);

storing data regarding the detected user generated modification to the field panel data element (column 4 lines 15-45).;

appending field panel modification data to the data regarding the detected user generated modification to the field panel data element to define stored appended field modification data; and transmitting, by the field panel, the stored appended field modification data to the workstation (Figure 13, column 5 lines 50-67, column 6 lines 1-15). Mathur et al do not go into the details that the system is for building control per se, but do mention environments for power control integration of vendor devices. Furthermore, Delp et al do show a building control system as a convenient environment for power control integration of vendor devices (abstract, Figures 11, 13, 17, column 6 lines 5-30, column 10 lines 20-50). It would have been obvious to a person with ordinary skill in the art to have the system in Mathur et al be for

building control, because it would provide a convenient environment for power control integration of third party vendor devices.

16. Regarding claim 17, providing the user interface for the input of data regarding the third party device comprises providing the user interface in the workstation (Mathur et al Figures 5, 6, 11, column 3 lines 20-31, column 5 lines 20-45).

17. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. But in regard to claim 16, Mathur does in fact show transmitting the stored appended field modification data. Applicant is invited to contact Examiner to discuss claim interpretation.

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


[Signature]